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15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**

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FEDERAL TRADE COMMISSION,) Case No. 2:16-cv-00579-MWF (SSx)
19 Plaintiff,)
20 v.) **ORDER RE DUTY TO**
21 DEVRY EDUCATION GROUP) **SUPPLEMENT DISCOVERY**
22 INC., formerly known as DeVry Inc.,) **RESPONSES**
23 a corporation;)
24 Defendants.)
25

1 After conferring, the parties have agreed to entry of an order with the terms
2 set forth below. Accordingly, **IT IS HEREBY ORDERED:**

3 1. Except as provided in Paragraph 3, below, Plaintiff is under no
4 obligation to supplement its responses to Defendants' discovery requests in this
5 matter by identifying (e.g., with specific Bates numbers) or producing documents
6 that Defendants or any other entity produced in response to a Civil Investigative
7 Demand that the Commission issued during the course of its pre-Complaint
8 investigation of Defendants.

9 2. Except as provided in Paragraph 3, below, Defendants are under no
10 obligation, after providing their responses to any discovery Plaintiff may propound
11 in this case, to supplement such responses by identifying (e.g., with specific Bates
12 numbers) or producing documents that Defendants or any other entity produced in
13 response to a Civil Investigative Demand that the Commission issued during the
14 course of its pre-Complaint investigation of Defendants.

15 3. Provided, however, that the parties shall supplement their responses to
16 any contention discovery (interrogatories or document requests), by identifying
17 any additional responsive documents on which they reasonably expect to rely in
18 support of any claims or defenses at trial or in a motion for summary judgment,
19 within a reasonable amount of time before the cutoff date for fact or expert
20 discovery so as to allow the receiving party to conduct and complete fact and
21 expert discovery related to the documents or information in the supplemental
22 responses. For purposes of this Paragraph, in evaluating whether a supplemental
23 response has been provided "within a reasonable amount of time," the parties and
24 the Court shall consider the totality of the circumstances.

25 IT IS SO ORDERED.

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27 Dated: 10/21/16

/S/

Hon. Suzanne H. Segal
United States Magistrate Judge